

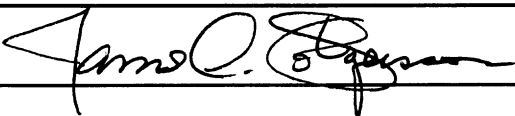
TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Leslye Corsiglia

SUBJECT: SEE BELOW

DATE: October 29, 2003

Approved



Date

11.03.03

COUNCIL DISTRICT: Citywide

INFORMATION

**SUBJECT: QUARTERLY REPORT DETAILING ACTIVITY IN THE HOUSING
DEPARTMENT'S RENTAL RIGHTS AND REFERRALS PROGRAM**

This report covers activity in the Rental Rights and Referrals Program for the first quarter of the 2003-04 Fiscal Year. The Rental Rights and Referrals Program (Program) provides education and information to protect tenants' and landlords' rights and to improve relations between the two parties. In the case of a rental dispute between a landlord and tenant, knowing the law, having access to resources, and exploring options, can minimize conflict.

Program Highlights

Major actions completed during the first quarter of FY 2003-04 include:

- **Casa Real Apartments** – On August 6, 2003, the Casa Real Apartments tenants filed 17 petitions regarding health and safety issues. The Rental Rights and Referrals Program, in collaboration with Code Enforcement, resolved the issue during the months of August and September. The management from Casa Real Apartments agreed to complete all health and safety repairs within Code Enforcement time request. After completing the request for repairs, the 17 tenants canceled their petitions. Program staff contacted each individual to confirm cancellation of the petitions and verified the condition of their rental units.
- **Phone Tree** – A new phone tree was put in place to track calls for all inquiries made to the Program. The reporting functions of the phone tree tracked the number of calls coming from outside lines twenty-four hours a day. All of the information available in the tree may be accessed in both English and Spanish. The phone tree technology also provides weekly statistical reports tracking all calls that travel through the system. During the first quarter of FY 03-04, the call tree tracked 2,669 calls. A detailed report showing the data collected is attached to this report (Attachment A).

October 29, 2003

Subject: Quarterly Report Detailing Activities in the Housing Department's Rental Rights and Referrals Program
Page 2

- **Rental Housing Market Determination** – The Director of Housing has determined that the City of San José is NOT experiencing a Severe Rental Housing Shortage. Based on information for the first quarter of FY 2003-04, the San José rental housing market has a 6.7% vacancy rate. The impact of these findings is that, effective November 1, 2003, for those tenants who have lived in the unit for more than one year, “no-cause” notices served to tenants living in rent-controlled properties will be 90-day rather than 120-day notices.

Quarterly Reports

The following reports are included in this document:

- **Public Outreach Report** – Staff made nine presentations to a wide variety of community groups educating residents on tenant and landlord rights provided by the Rent Control Ordinance. A detailed list of each outreach event is attached to this report (Attachment B).
- **Database Reports** – During the first quarter of FY 2003-04 the Rental Rights and Referrals Program received fifteen 30-day notices, eight 60-day notices, and five 90-day notices. Information from this database is attached to this report (Attachment C). In addition, the call log database tracked 318 inquiries during the first quarter of FY 2003-04. A detailed report showing the data collected is attached to this report (Attachment D).
- **Case Log Report** - The number of petitions filed with the Program between July 1, 2003 and September 30, 2003 was 29. During the first quarter of FY 2003-2004, since the ordinance changes, staff received the first four requests for arbitration regarding a 60-day notice. Information regarding these cases and others is attached to this report (Attachment E).


TESYE CORSIGLIA
Director of Housing

Attachments

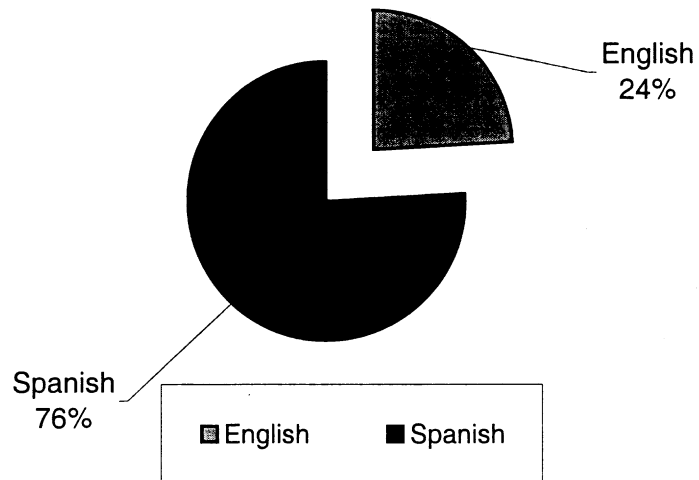
Phone Tree Report
First Quarter FY 2003-2004

Attachment A

English	642
Spanish	2,027
Total	2,669

Language Option

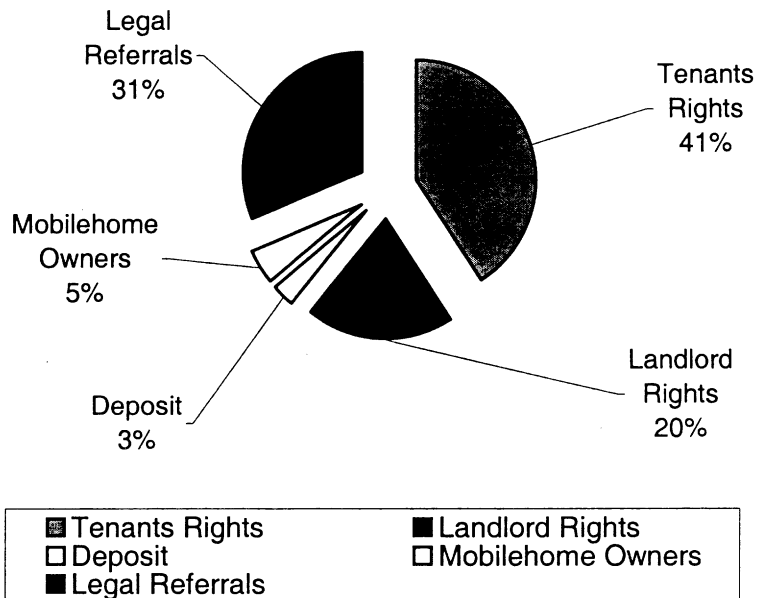
7/01/2003-9/30/2003



Tenants Rights	610
Landlord Rights	298
Deposit	46
Mobilehome Owners	70
Legal Referrals	470
Total	1,494

Phone Tree Menu

7/01/2003-9/30/2003



Public Outreach Report

Date: July 8, 2003

Type: Neighborhood Development Center (NDC) - Spanish

Audience: Neighborhood Academy

Location: 105 North Bascom Avenue

Participants: 12

The same presentation was made in Spanish at the Neighborhood Development Center for a Spanish-speaking neighborhood also interested in creating a homeowners association. Twelve people attended, including staff. Reference material in Spanish was distributed. Questions and answers were addressed following the presentation.

Date: July 10, 2003

Type: Neighborhood Development Center (NDC) - English

Audience: Neighborhood Academy

Location: 105 North Bascom Avenue

Participants: 11

The Neighborhood Development Center provides training to neighborhood advocates who have an interest in wanting to create new homeowners associations. Program staff made a presentation in English at the NDC office to the homeowners association group. There were eleven individuals who attended, including the staff. The presentation was informative and several reference materials were distributed. Questions and answers were addressed following the presentation.

Date: August 5, 2003

Type: Strong Neighborhood Initiative

Audience: National Night Out

Location: Chriss Hotts Park

Participants: 200

Staff from the Rental Rights and Referrals Program participated in the National Night Out community event. The event serves as a resource for the tenants and landlords of that community to receive information, to meet local businesses, government and community-based organizations, and to learn of the services available in their area. Rental Rights and Referrals Program staff participated in this event by distributing landlord/tenant information regarding rent controlled apartments and recent changes in the ordinances. Councilmember Pat Dando attended the event supporting members of her community.

Date: August 6, 2003

Type: Tenant Presentation in Spanish

Audience: Tenants, Community Casa Real Apartments

Location: Casa Real Apartments

Participants: 24

Rental Rights and Referrals Program staff gave a presentation educating the tenants on their rights and responsibilities under Rent Control. The presentation lasted approximately two hours and concluded with the distribution of relevant brochures and applications. The majority of the attendees live in rent-controlled apartments. Following the presentation was a question and answer session, which allowed the tenants to further inquire about the Rental Rights and Referral Program. ACORN representatives and representatives from Council Member Dave Cortese's Office were also at the meeting elaborating on the rights of the residents. During the presentation ACORN representatives collected 17 petitions all reporting health and safety concerns.

Date: August 16, 2003

Type: The Martin Luther King Library Grand Opening

Audience: City of San Jose (Public)

Location: The Martin Luther King Jr. New Library

Participants: 17,458

Rental Rights and Referrals participated in the Grand Opening of the new Martin Luther King Jr. Library. The event was a celebration of the new library and served as an opportunity to inform everyone of the various services that are available. Rental Rights and Referrals staff participated in this event by distributing tenant/landlord information regarding Rent Controlled apartments and recent changes of the City San José's Rent Control ordinance. Program staff distributed about 2,000 brochures in the English, Spanish and Vietnamese.

Date: August 23, 2003

Type: Community Resource Fair

Audience: Neighborhood Associations and Community Organizations

Location: Alviso Youth Center

Participants: 300

The Community Resource Fair was a successful event organized by Council Member Chuck Reed, along with the City Manager's office and many other Santa Clara County organizations. With help from the Alviso Resource Coalition (ARC) and the Alviso/North San José Activity Committee, the Rental Rights and Referrals Program provided vital information to the community about tenant/landlord rights within the City of San José. Staff utilized this opportunity to further inform landlord/tenants about their rights; about 300 brochures were given out at this event.

Date: September 6, 2003

Type: Festival in the Park

Audience: Neighborhood Associations and Community Organizations

Location: Rainbow Park

Participants: 1,900

The Annual Festival is an important event for the community and neighborhood where people meet local business, government and community organizations and are informed about the

services that are available in their communities. Councilmember Linda LeZotte attended the event and was able to address some of the issues that are prevalent within our city. Rental Rights and Referrals Program staff also participated in this outreach event by providing the attendees with informative landlord/tenant brochures in three different languages: English, Spanish, and Vietnamese.

Date: September 13, 2003

Type: Mayor's 4th Annual Volunteer Celebration

Audience: City of San Jose (Public)

Location: Plaza de Cesar Chavez

Participants: 2,500

Mayor Ron Gonzales welcomed all participants and was thankful for all the volunteers. The Rental Rights and Referrals Program staff attended this event and provided landlord/tenant with information regarding the City's Rent Control Program.

Date: September 20, 2003

Type: District 5 Community Summit

Audience: Neighborhood Associations and Community Organizations

Location: Emma Prusch Park

Participants: 900

Councilmember Nora Campos' Community Summit consisted of booths from several City departments and non-profit organizations providing resources and service information to the public. The Rental Rights and Referrals Program (RRRP) provided information on the City's Rent Control Ordinances related to mobilehomes and apartments. The RRRP's web page, brochures, and staff member's business card were distributed to individuals interested in services. Staff networked with non-profits to schedule additional community outreach events.

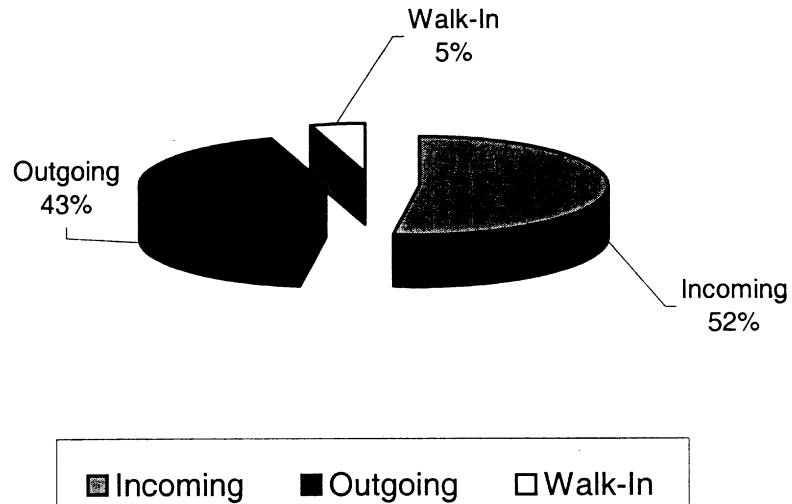
Database Report
First Quarter FY 2003-2004

Attachment C

Incoming	166
Outgoing	137
Walk-In	15
Total	318

Service Type Percentages

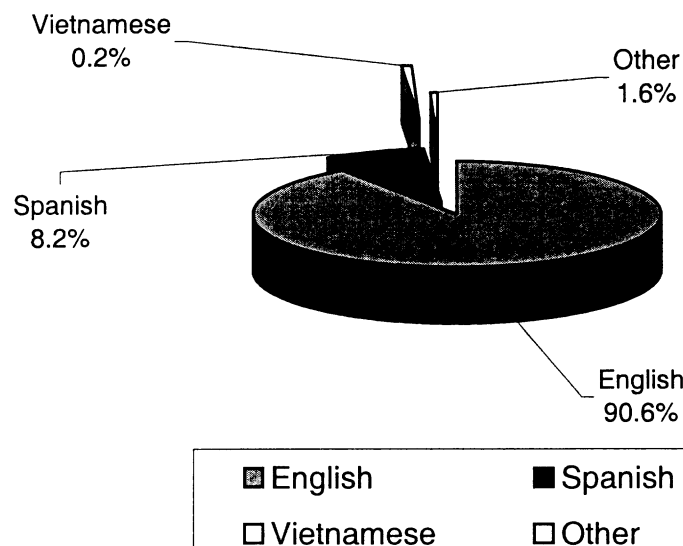
7/1/2003-9/30/2003



English	288
Spanish	26
Vietnamese	2
Other	2
Total	318

Language Percentages

7/1/2003-9/30/2003



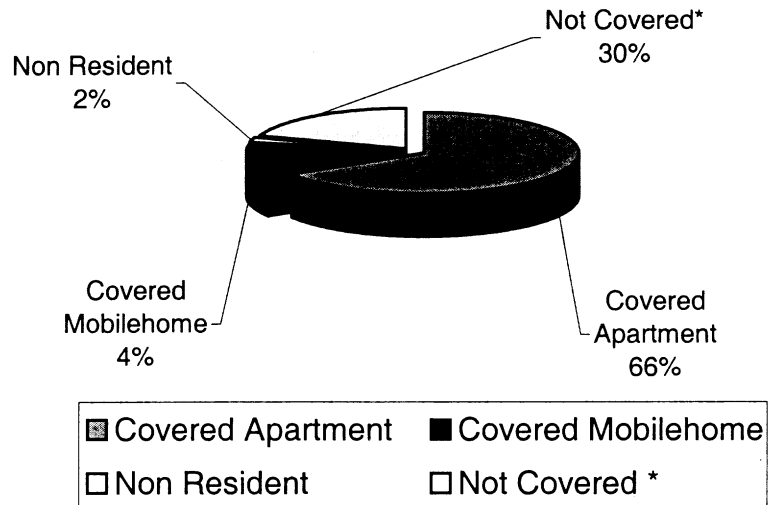
Database Report
First Quarter FY 2003-2004

Attachment C

Covered Apartment	211
Covered Mobilehome	38
Non Resident	6
Not Covered *	63
Total	318

Ordinance Coverage

7/1/2003-9/30/2003

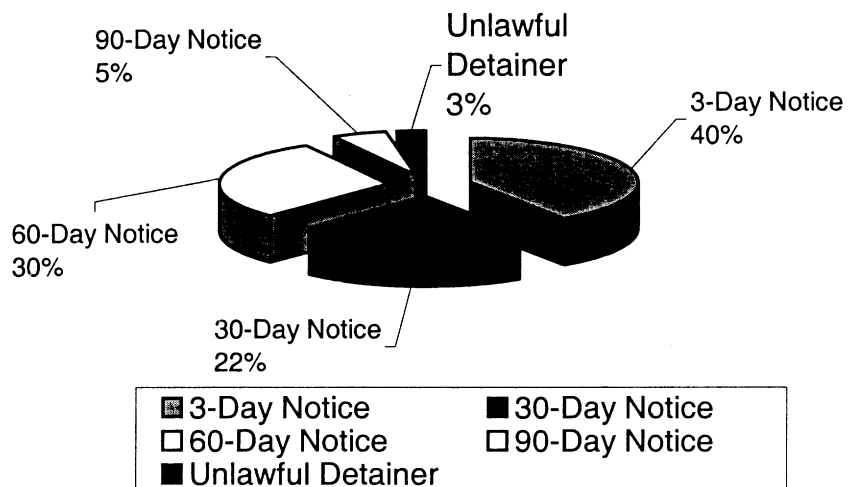


* Not Covered refers to calls staff received that were not covered by the Rent Control Ordinance.

3-Day Notice	15
30-Day Notice	8
60-Day Notice	11
90-Day Notice	2
Unlawful Detainer	1
Total	37

Eviction Types Assisted

7/1/2003-9/30/2003



30/60/90-Day Notice Information
First Quarter FY 2003-04

Attachment C

Notices to Vacate			
Address	Zip Code	Date Served	Date Received
30-Day Notices			
564 Menker Ave #B	95128	07.07.03	07.07.03
1341 Herald Ave	95111	07.03.03	07.07.03
332 North 8th St #1B	95112	07.05.03	07.08.03
562 South 6th St #1	95112	07.03.03	07.08.03
752 South 9th St #6	95112	07.09.03	07.09.03
445 South 8th St #4	95112	07.13.03	07.14.03
1750 Stokes St	95126	07.14.03	07.16.03
588 South 10th St #A	95112	07.21.03	07.22.03
1085 Saratoga Ave #4	95129	08.12.03	08.12.03
2316 Lucretia Ave #1	95122	08.19.03	08.19.03
1320 Foxdale Loop #23	95128	08.26.03	08.26.03
2178 Monticello Ave	95125	09.05.03	09.08.03
95 South 14th St # B	95112	09.12.03	09.15.03
166 Revey Ave #10	95128	09.15.03	09.15.03
99 N 7th St. #6	95112	09.23.03	09.24.03
Subtotal:15			
60-Day Notices			
45 Hobson St #5B	95112	07.10.03	07.14.03
2254 Luz Ave #4	95116	08.06.03	08.08.03
396 Shadow Run Dr	95110	08.13.03	08.18.03
1263 Park Avenue #1	95126	08.25.03	08.25.03
1376 Essex Way	95117	09.03.03	09.05.03
598 S. Ninth Street #3	95112	09.04.03	09.05.03
64 North 34th Street	95116	09.06.03	09.06.03
967 Lundy St #204	95133	09.26.03	09.30.03
Subtotal:8			
90-Day Notices			
5852 El Zuparko Dr. #2	95123	07.23.03	07.30.03
4951 Cherry Ave #59	95118	07.31.03	08.01.03
640 S Ninth St. # 1	95112	08.06.03	08.08.03
329 E St. James	95112	08.03.03	08.05.03
14492 Union Ave E-4	95124	09.22.03	09.24.03
Subtotal: 5			
Total: 28			

Rental Rights and Referrals Program

Attachment D

Data for January 1 - September 30, 2003

Number of Inquiries

	January	February	March	April	May	June	July	August	September	Total	Percent
Incoming Phone Calls	140	129	129	162	114	197	88	32	46	1037	71%
Returned Phone Calls	66	48	37	58	13	3	26	41	70	362	25%
Walk-in	8	2	3	10	5	3	8	8	5	52	4%
Total	214	179	169	230	132	203	122	81	121	1451	100%

Languages Spoken

	January	February	March	April	May	June	July	August	September	Total	Percent
English	196	162	161	210	121	182	103	79	106	519	92%
Spanish	13	14	6	17	10	19	13	0	13	33	6%
Vietnamese	0	0	1	0	0	1	0	2	0	1	0.2%
Other	5	3	1	3	1	1	0	0	2	9	2%
Total	214	179	169	230	132	203	116	81	121	562	100%

Referral Topic

	January	February	March	April	May	June	July	August	September	Total	Percent
Deposit	28	23	26	40	16	47	23	12	15	77	10%
Maintenance	11	10	7	11	3	12	7	5	3	28	3%
Allowable Rent Increase	22	23	19	24	13	18	7	2	7	64	8%
Rights	165	140	138	174	100	105	86	67	102	443	55%
Ordinance	16	70	58	103	69	19	15	42	82	144	18%
Eviction	16	9	23	27	17	28	20	9	10	48	6%
Total	258	275	271	379	218	229	158	137	219	804	100%

Referrals

	January	February	March	April	May	June	July	August	September	Total	Percent
Code Enforcement	22	18	13	27	11	12	11	7	5	53	20%
Asian Law Alliance	1	10	11	14	10	3	1	3	1	22	8%
Legal Aid Society	64	50	70	71	39	51	30	28	37	184	71%
Total	87	78	94	112	60	66	42	38	43	259	100%

Rental Rights and Referrals Program Case Log Report
Fourth Quarter FY 2002-03

Attachment E

General Information						Violation Type*					Mediation and Arbitration Process						Disposition of Cases
Address Street Number	Zip Code	Date Filed	Date Approved	# Of Petitions	Ineligible Petitions	%	SR	HC	Freq	Rights	Mediation Voluntary	Decision	Arbitration Voluntary	Decision	Closed		
2915 Huff Avenue	95128	07/18/03	7/18/2003	1				1			8/19/2003				8/19/2003	The tenant and landlord came to a voluntary agreement. The landlord agreed to extend the 60-day notice. The tenant agreed to provide 30-day notice in case of leaving unit earlier.	
1433 Dubert Ln. #2	95122	07/22/03	7/24/2003	1							9/3/2003				9/3/2003		The tenant and landlord reached an agreement before the meeting was scheduled.
1263 Park Avenue #3	95126	08/25/03	8/26/2003	1				1			9/18/2003				9/24/2003	A mediation hearing was scheduled however, the landlord and the tenant did not appear at the hearing.	
329 E.St James	95112	07/29/03	7/29/2003	1			1								current	Landlord and the tenant rescheduled the mediation hearing. New date of the mediation hearing will be scheduled at the of October 2003.	
2400 Enborg Ln. #1	95128	09/08/03	9/12/2003	1									10/2/2003		10/6/2003	The tenant and landlord reached an agreement at the hearing. The 60-day notice was changed to 90-days at the arbitration. Tenant agreed to move out by December 7, 2003.	
1415 Tami Lee Dr. #2	95122	07/22/03	7/24/2003	1						1		7/25/2003			7/26/2003	The tenant withdrew his petition before the date for the mediation was scheduled, problem was solved.	
335 Willow Street #4	95125	09/10/03	9/10/2003	1	1	8%						7/10/2003			7/10/2003	A mediation hearing was conducted and the rent increase was 7.98%.	
2585 Melissa Ct. #16	95121	07/30/03	8/24/2003	1	1		1		1			8/26/2003			8/26/2003	The tenant and landlord reached an agreement before scheduling the hearing.	

Rental Rights and Referrals Program Case Log Report
Fourth Quarter FY 2002-03

Attachment E

General Information						Violation Type*					Mediation and Arbitration Process					Disposition of Cases
Address Street Number	Zip Code	Date Filed	Date Approved	# Of Petitions	Ineligible Petitions	%	SR	HC	Freq	Rights	Mediation Voluntary	Decision	Arbitration Voluntary	Decision	Closed	
1541 Flanigan Drive #134	95121	08/06/03	8/26/2003	17			17	17			8/26/2003				8/26/2003	This was a large complex case. Of the 17 petitioners all parties settled outside the hearing. The tenants and landlord reached an agreement before scheduled hearing.
4270 Albany Drive # H112	95129	09/30/03	10/2/2003	1		8%									current	Hearing was scheduled for October 14, 2003.
451 S.5th Street #1	95112	09/23/03	10/2/2003	1			1	1							current	Hearing was scheduled for October 15, 2003.
Totals for Fourth Quarter FY 2002-03:				27	2	2	20	20	1	1	20	3	1			
Total Petitions Filed:				29		7%	69%	69%	3%	3%						

*Each petition may have more than one type of violation indicated.

Legend	
Rent Increase Beyond 8%	%
Service Reduction	SR
Housing Code Violation	HC
Frequent Rent Increase	Freq
Notification of Rights	Rights